

EXHIBIT 2

CCOPY

RECEIVED

IN THE CIRCUIT COURT FOR MAURY COUNTY, TENNESSEE

AUG 26 2008

JACKIE TIDWELL,

)

Plaintiff,

)

v.

)

BIG LOTS STORES, INC., TV PRODUCTS
USA, INC. and ZHEJIANG JIANDI
TRADING & INDUSTRIAL CO., LTD.

)
)
)

DOCKET NO. 11987

Defendants.

)

JURY DEMAND

FILED
KATHY KELLEY
CIRCUIT COURT CLERK
MAURY COUNTY, TN
2008 AUG 25 PM 12:13

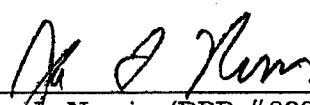
NOTICE OF FILING PROOF OF SERVICE

Comes the plaintiff and gives notice of filing Proof of Service on the defendant Zhejiang Jiandi Trading & Industrial Co., Ltd. Attached to this Notice for are the Proof of Service in Chinese and English, as well as a Request and Certificate showing that the defendant refused to accept service of the First Amended Complaint, Alias Summons, and Translations.

THIS 22nd day of August, 2008.

Respectfully submitted,

NORRIS & NORRIS, PLC

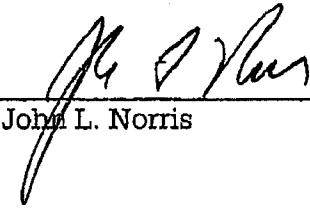

John L. Norris (BPR #6007)
Christina Norris (BPR #6599)
Fifth Third Center
424 Church Street, Suite 1300
Nashville, Tennessee 37219
(615) 627-3959

Atorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of August, 2008, a copy of the foregoing Notice was forwarded via U.S. Mail, postage prepaid to:

Joy Day, Esquire	Zhejiang Jiandi Trading & Industrial Co., Ltd.
SUTTER, O'CONNELL & FARCHIONE	Shihou Industrial Zone
341 Cool Springs Boulevard, Suite 430	Yongkang, Zhejiang 321306, China
Franklin, Tennessee 37067	


John L. Norris

FILED
KATHY KELLEY
CIRCUIT CLERK
MAURY COUNTY
2008 AUG 25 PM 12:13

浙江省金华市中级人民法院

送达回证

SX-08-796

案由		案号 (2008)浙高法外字第192号 送达(2008)749号
送达文件名称和件数	被送达文书概要、传票、诉状各一份	
受送达人	浙江建迪工贸有限公司	
送达地址	浙江省永康市后工业区	
受送达人 签名或盖章	年 月 日	
代收人及 代收理由	年 月 日	
备 考	拒绝签收	

填发人: 沈南

送达: 陈荣飞、沈南

注: 1、送达诉讼文书,应当直接交受送达;本人不在时,交他的同住成年家属签收,并在备注栏写明代收人与当事人的关系;受送达已向人民法院指定代收人的,交代收人签收。
 2、受送达拒绝接收诉讼文书的,送达应当邀请有关基层组织的代表或人到场,说明情况,在送达回证上记明拒收事由和日期由送达、见证人签名或盖章,把诉讼文书留在受送达住处,即视为送达。
 3、收到诉讼文书后,应及时将此证退回本院。

FILED
KATHY KELLEY
CIRCUIT CLERK
MAURY COUNTY, TN
2008 AUG 25 PM 12: 13

ZHEJIANG PROVINCE JINHUA CITY
INTERMEDIATE PEOPLE'S COURT
PROOF OF SERVICE

[Seal: Zhejiang Jinhua City Intermediate People's Court]

Judicial Association No. SX-08-796

Cause No.		Cause of Action	(2008) Zhejiang Superior Court International No. 192 Law Association Np. (2008) 749
Document Served and Number	Summary of Documents served, Summons and Complaint, one copy each.		
Recipient (Unit)	Zhejiang Jiandi Industrail and Trade Co., Ltd.		
Address for Service	Shihou Industrial District, Yongkang City, Zhejiang Province, (China)		
Recipient Signature or Seal	Date		
Recipient in substitution and reason(s)	Date		
Notes	Refuse to sign and accept.		

Issuer: Shen, Nan

Server: Chen, Liwei Shen, Nan

Note:

(1) Service should be made directly to the recipient proper; if the recipient proper is not in, hand the documents to an adult family member and obtain signature, and then note the reason(s) for non-delivery in the Notes field. If an recipient in substitution has been named by the target recipient to the court, hand the documents to the named recipient in substitution.

(2) If the recipient refuses to accept the documents served, the server should invite appropriate representative or personnel of the work unit, village or neighborhood committee to be present, and explain to them the situation, note the refusal and date, have himself and the witness sign or seal, leave the process documents at the place of residence of the recipient, and the service is deemed as executed.

(3) Upon receiving the process documents, immediately return this Proof of Service to this court.

Case Name: Tidwell v. Big Lots Stores, Inc.
 Defendant: Zhejiang Jiandi Trading & Industrial Co., Ltd.
 Court Case No.: 11987

**CERTIFICATE
ATTESTATION**

The undersigned authority has the honour to certify, in conformity with article 6 of the Convention,
L'autorité soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention,

1) that the document has been served*

1. que la demande a été exécutée

- the (date)
- le (date)
- at (place, street, number)
- à (localité, rue numéro)

- in one of the following methods authorised by article 5-

- dans une des formes suivantes prévues à l'article 5:

[] (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention*.

a) selon les formes légales (article 5, alinéa premier, lettre a).

[] (b) in accordance with the following particular method*:

b) selon la forme particulière suivante:

[] (c) by delivery to the addressee, who accepted it voluntarily.*

c) par remise simple

The documents referred to in the request have been delivered to:

Les documents mentionnés dans la demande ont été remis à:

- (identity and description of person)

- (identité et qualité de la personne)

- relationship to the addressee (family, business or other):

- liens de parenté, de subordination ou autres, avec le destinataire de l'acte:

2. that the document has not been served, by reason of the following facts*:

2. que la demande n'a pas été exécutée, en raison des faits suivants:

*The addressee refused to accept the documents.
Reason not mentioned.*

In conformity with the second paragraph of article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement*.

Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont le détail figure au mémoire ci-joint.

LIST OF DOCUMENTS: Summary of the Document to be Served, First Amended Complaint, Alias Summons, Translations

Annexes

Annexes

Documents returned:

Pièces renvoyées:

In appropriate cases, documents establishing the service:

Le cas échéant, les documents justificatifs de l'exécution:

* Delete if inappropriate.
 Rayez les mentions inutiles.

Done at
 Failli à

Beijing 司法 July 18, 2008

Signature and/or stamp.
 Signature et/ou cachet.

中华人民共和国
 司法协助专用章

APPLICANT IS AUTHORIZED TO SERVE JUDICIAL PROCESS UNDER THE UNITED STATES FEDERAL RULES OF CIVIL PROCEDURE AND UNDER THE RULES OF CIVIL PROCEDURE OF THE STATE OF: Tennessee

REQUEST

FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS

DEMANDE

AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ÉTRANGER D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE

Convention on the Service abroad of judicial and extrajudicial documents in civil or commercial matters, signed at The Hague, November 15, 1965.

Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile ou commerciale, signée à La Haye, le 15 Novembre 1965.

<p>Identity and address of the applicant <i>Identité et adresse du requérant</i></p> <p>Josh R. Cobb APS INTERNATIONAL, LTD APS International Plaza 7800 Glenroy Road Minneapolis, Minnesota 55439-3122 U.S.A. Tel. 952.831.7776 Fax: 952.831.8150 Email: JCobb@CivilActionGroup.com</p>	<p>Address of receiving authority <i>Adresse de l'autorité destinataire</i></p> <p>DIVISION OF JUDICIAL ASSISTANCE Ministry of Justice No.10, Chaoyangmen, Nandajie Chaoyang District Beijing 100020 China</p>
--	---

The undersigned applicant has the honour to transmit – in duplicate – the documents listed below and, in conformity with article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e.,

(Identity and address)

Le requérant soussigné a l'honneur de faire parvenir -- en double exemplaire -- à l'autorité destinataire les documents ci-dessous énumérés, en la priant conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, savoir:

(Identité et adresse) Zhejiang Jiandi Trading & Industrial Co., Ltd.

Shihou Industrial Zone, Yongkang, Zhejiang 321306, China

Tel:

(a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention.*
a) *selon les formes légales (article 5, alinéa premier, lettre a):*

(b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)*:
b) *selon la forme particulière suivante (article 5, alinéa premier, lettre b):*

(c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)*.
c) *le cas échéant, par remise simple (article 5, alinéa 2).*

The authority is requested to return or to have returned to the applicant a copy of the documents – and of the annexes* – with a certificate as provided on the reverse side.

Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte -- et de ses annexes -- avec l'attestation figurant au verso.

List of documents *Enumération des pièces*

First Amended Complaint

Alias Summons

Translations

Summary of the Documents to be Served

Done at
Fall à Minneapolis, Minnesota, U.S.A.

, the 5/21/08
le

Signature and/or stamp.
Signature et/ou cachet.



(Formerly OBD-116 which was formerly LAA-116,
both of which may still be used)

USM-94

(Est. 11/22/77)

TENNESSEE 州

再次发送传票

案件编号

第 22 司法巡回法院

11987

原告

被告

Jackie Tidwell

Big Lots Stores, Inc., TV Products USA, Inc.

和 Zhejiang Jiandi Trading & Industrial Co., Ltd.

致 (被告们名字和地址)

Zhejiang Jiandi Trading & Industrial Co., Ltd.

送达方式

- 保证递送邮件
- 行政司法官
- 普通保险
- 州秘书
- 州外行政司法官
- 私人送达程序
- 专人送达

每个被告们列在分开的传票

你在此被 Tennessee 州 Maury 郡的巡回法院起诉, 你必须在送达此传票之日的 30 天之内向法院书记员提交你的辩护答复并向以下所列地址原告的律师提交辩护的复印件。如果你没有在以上所规定日期答复, 法院将自动判决起诉书要求的损失赔偿。

原告律师

存档, 发出 & 证明

(名字地址和电话号码)

2008 年 5 月 12 日

John L. Norris 先生

NORRIS & NORRIS PLC

Kathy Kelley 巡回法院书记员

Fifth Third Center

由:

424 Church Street, Suite 1300

Columbia, Tennessee 38401

Nashville, Tennessee 37219

书记员代理

致行政司法长官

收到日期

行政司法官

***送达每个被告们一份原件加上复印件

TENNESSEE 州 MAURY 郡巡回法院

JACKIE TIDWELL

原告

判决摘要编号 11987

诉

BIG LOTS STORES, INC., TV PRODUCTS

Kathy Kelley

USA, INC. 和 ZHEJIANG JIANDI

巡回法院书记员

TRADING & INDUSTRIAL CO., LTD.

在 2007 年 8 月 27 日下午 1 点 21 分存档

要求陪审团

被告们

第一修正起诉书

在此原告提出起诉被告们如下声明：

介绍

1. 该案件是由于当钢柄断裂热糖浆溢出而烫伤 Jackie Tidwell 个人遭受严重伤害。

各方

2. 原告 Jackie Tidwell 是居住在 Tennessee 州 Maury 郡的居民。

3. 被告 Big Lots Stores, Inc. ("Big Lots") 是一个按照 Ohio 州法律下组成的一个公司并且其主要商务基地在 Ohio 州 Columbus, 300 Phillipi Road, 以上的被告被允许并在 Tennessee 州从事商务, Big Lots 在 Tennessee 州开设多种 Big Lots 商店其中包括在 Tennessee 州 Maury 郡的 Columbia 的 Big Lots 商店. 将送达给 Big Lots 的注册的代理商 Corporation Service Company 位于 2908 Poston Avenue, Nashville, Tennessee 37203.

4. 被告 TV Products USA, Inc. ("TV Products") 是一个按照 New York 州法律下组成的一个公司并且其主要商务基地在 230 5th Avenue, Suite 605, New York, New York, 10001. 其主席和行政总裁是 Kishore M. Samtani 地址是 2305 5th Avenue, Suite 605, New York, New York 10001.

5. 被告 Zhejiang Jiandi Trading & Industrial Co., Ltd. ("Jiandi") 是一个外国责任有限公司。根据资料并相信上述被告是按照中国法律下组成的一个公司。其主要地址是 Shihou Industrial Zone, Yongkang, Zhejiang, China (mainland) 321306.

审判权和审判地

6. 作为在 Tennessee 州 Maury 郡的 Big Lots Stores 购买缺陷产品最近似的结果是伤害 Jackie Tidwell 的案件是发生在 Tennessee 州 Maury 郡。TV Product 将缺陷和不合理危险的产品即烹饪餐具中的锅投

入美国商业市场，即适当的预料该产品将使 Tennessee 州的公民和居民遭受伤害因而按照 Tennessee 州 Long Arm Statute 上述被告们将从属该州判决。更进一步 TV Product 知道该产品将由和通过国内销售商如 Big Lots 和 Wal-Mart 被销售并被 Tennessee 州的消费者使用。TV Product 通过在 Tennessee 州销售和使用该产品取得大量利润。Jiandi 制造和销售了有缺陷和不合理危险的烹饪餐具中的锅，在这种情况下是很容易预见到烹饪餐具将被进口到美国并销售给如 Big Lots 的零售店并至 Tennessee 州最终的购买者。上述被告通过在 Tennessee 州销售和使用该产品取得大量利润。本法院对各方，该案件标的物和审判地点具有审判权。

事实背景

7. 在大约 2006 年 7 月 Jackie Tidwell 从位于 1301 South James Campbell Boulevard, Columbia, Maury 郡 Tennessee 州的 Big Lots 零售店购买了烹饪餐具，Big Lots 是烹饪餐具的零售销售商。
8. 烹饪餐具是用 Gourmet Trends™ 包装并具有 TV Products™ 的名字。“Gourmet Trends™”是 TV Products 的商标即作为 TV Products™。TV Products 是烹饪餐具即包括手柄断裂并伤害 Jackie Tidwell 的锅的分发和批发商，TV Products 将烹饪餐具销售给了 Big Lots。
9. 烹饪餐具是由在中国的被告 Jiandi 制造的。
10. 在 2006 年 12 月 24 日 Jackie Tidwell 在她位于 3921 General Lee Road, Culeoka, Maury 郡 Tennessee 州的家中制作糖果。她正在用从 Big Lots 购买的 Gourmet Trends™ 烹饪餐具中一个锅加热糖浆混和物。当糖浆混和物达到适当温度时 Tidwell 女士拎起锅的柄为了将糖浆混和物倒入碗中冷却。在她可能将混合物倒入碗之前锅的柄断裂，滚热的糖浆混和物溢在 Jackie Tidwell。滚热的糖浆混和物粘贴在 Jackie Tidwell 的皮肤上。滚热的糖浆混和物严重的烫伤了 Jackie Tidwell。
11. 柄断裂了的锅曾是由被告们销售，制造，分发和批发并是缺陷和不合理的危险。锅的制造和设计是有缺陷的因而使在正常条件下使用缺陷的柄构成了大量的和不合理的风险。普通的消费者购买了作为烹饪餐具中的锅没有预料到当锅从炉面上移开时候锅柄会断裂。同样的合理谨慎的销售者不会将锅柄会断裂的锅投入市场。Jackie Tidwell 曾是适当的使用该产品，被告们应该预料到即某人使用锅在炉台上加热液体由于锅柄断裂而受伤。

诉讼原因

违反商销性的默示担保

12. 被告们默示担保即由 Jackie Tidwell 从 Big Lots 购买的烹饪餐具包括伤害 Jackie Tidwell 断柄的锅是符合普通目的的使用，即包括在炉面上加热糖浆混和物和用锅柄提起含有糖浆混和物的锅。被告们违反了他们商销性的默示担保并且由于他们的违反担保对原告所有损害结果负有责任。
13. 原告特别的申明依赖 T.C.A. §47-2-314 及如下提供：
 - (1) 除非不包括或修改 (§47-2-316)，如果销售者是进出口贸易商关于他们的销售的货物被规定默示担保即货物必须是可销售的。在此条例下饮料和食物只供堂饮要不然销售。
 - (2) 可销售的货物至少必须如下：
 - (a) 在合同说明书下行家通过没有异议；和
 - (b) 在替代物的情况下是公平的质量并附有说明书；和
 - (c) 该货物的使用符合普通目的的使用；和
 - (d) 通过协议书得到每个和所有涉及单位类型种类，质量和数量变化允许；和
 - (e) 可以要求适当的包含，包装和标签作为协议书；和
 - (f) 如果有任何包含或标签对照事实的诺言和证词。

直接责任

14. 当离开了被告们的控制, 由被告们销售了, 制造了, 分发了和批发了的锅包括锅柄是缺陷的和/或不合理的危险。因此按照 1978, T.C.A. §29-28-101 等产品责任条例被告们对原告的伤害和损失负有直接的民事侵犯责任。

疏忽

15. 被告 Jiandi 疏忽地制造了和设计了锅, 所有的被告们知道或应该知道其缺陷和不合理危险的条件, 如此的销售和投放至商贸市场是疏忽。被告们疏忽的没有从事适当的试验以测定 Gourmet Trends™ 烹饪餐具的安全包括销售给 Jackie Tidwell 导致其受伤的烹饪餐具中包含的锅。

没有警告

16. 被被告们知道或应该知道即锅柄很可能会断裂以及造成伤害但是他们疏忽地和不介意没有给将来锅的使用者发出警告尤其如 Jackie Tidwell, 即产品有缺陷的和不适当的危险。

损失

17. 如上述描述作为被告们过错行为的一个结果, Jackie Tidwell 遭受严重痛苦和损毁容貌的伤害, Jackie Tidwell 经受了皮肤移植, 产生了大量的医疗费用并将继续产生的医疗开支, Jackie Tidwell 忍受了伤痛并将继续遭受痛苦, 过去和将来她同时失去了享受生活的乐趣, Jackie Tidwell 失去了收入以及挣钱的能力, 她的伤害是残废和损毁容貌的, Jackie Tidwell 将留下永久的伤疤同样地永久的损伤和残废。

因此, 原告 Jackie Tidwell 起诉被告们以及他们中的每一个, 要求赔偿不超过 950,000.00 美元的损失赔偿以及在法律许可下的所有费用以及其它她有权获得的进一步的赔偿, 原告要求由陪审团审理此案件。

NORRIS & NORRIS, plc

(签名)

John L. Norris (BPR#6007)

Christina Norris (BPR#6599)

Fifth Third Center

424 Church Street, Suite 1300

Nashville, Tennessee 37219

(615) 627-3959

原告的律师

送达证明

我在此证明即上述第一修正起诉书的复印件通过美国邮寄（邮费已付）在 2007 年 8 月 24 日已经
邮寄给以下：

Joy Day 先生

SUTTER, O'CONNELL & FARCHIONE
341 Cool Springs Boulevard, Suite 430
Franklin, Tennessee 37067

Janet Strevel Hayes 先生

620 Market Street, Fifth Floor
Post Office Box 2425
Knoxville, Tennessee 37901

(签名)

John L. Norris

STATE OF TENNESSEE 22 nd JUDICIAL DISTRICT CIRCUIT COURT	ALIAS SUMMONS	CASE FILE NUMBER 11987
PLAINTIFF Jackie Tidwell	DEFENDANT Big Lots Stores, Inc., TV Products USA, Inc. and Zhejiang Jiandi Trading & Industrial Co., Ltd.	
TO: (NAME AND ADDRESS OF DEFENDANT) Zhejiang Jiandi Trading & Industrial Co., Ltd.		
<p>Method of Service:</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> _____ Co. Sheriff <input type="checkbox"/> *Comm. of Insurance <input type="checkbox"/> *Secretary of State <input type="checkbox"/> *Out of County Sheriff <input checked="" type="checkbox"/> Private Process Server <input type="checkbox"/> Personal Service</p>		
List each defendant on a separate summons.		
<p>YOU ARE SUMMONED TO DEFEND A CIVIL ACTION FILED AGAINST YOU IN CIRCUIT COURT, MAURY COUNTY, TENNESSEE. YOUR DEFENSE MUST BE MADE WITHIN THIRTY (30) DAYS FROM THE DATE THIS SUMMONS IS SERVED UPON YOU. YOU MUST FILE YOUR DEFENSE WITH THE CLERK OF THE COURT AND SEND A COPY TO THE PLAINTIFF'S ATTORNEY AT THE ADDRESS LISTED BELOW. IF YOU FAIL TO DEFEND THIS ACTION BY THE ABOVE DATE, JUDGMENT BY DEFAULT CAN BE RENDERED AGAINST YOU FOR THE RELIEF SOUGHT IN THE COMPLAINT.</p>		
Attorney for plaintiff or plaintiff if filing Pro Se: (Name, address & telephone number) John L. Norris, Esq. NORRIS & NORRIS PLC Fifth Third Center 424 Church Street, Suite 1300 Nashville, Tennessee 37219 (615) 627-3959	FILED, ISSUED & ATTESTED 5-12-08 Kathy Kelley, CIRCUIT COURT CLERK By: <u>SM</u> Columbia, Tennessee 38401 Deputy Clerk	
TO THE SHERIFF:	DATE RECEIVED Sheriff	

***Submit one original plus one copy
for each defendant to be served.